

Oversight and Government Reform Committee Chairman Henry A. Waxman and Transportation and Infrastructure Committee Chairman James L. Oberstar wrote to President-elect Obama regarding their investigation into the drastic deterioration of the Clean Water Act enforcement program.

“One of the legacies of the Bush Administration is its failure to protect the safety and health of the nation’s waters,” said Chairman Waxman. “Our investigation reveals that the clean water program has been decimated as hundreds of enforcement cases have been dropped, downgraded, delayed, or never brought in the first place. We need to work with the new Administration to restore the effectiveness and integrity to this vital program.”

New internal documents obtained by the Committees show that hundreds of Clean Water Act violations have not been pursued with enforcement actions. Dozens of existing enforcement cases have become informal responses, have had civil penalties reduced, and have experienced significant delays. Many violations are not even being detected because of the substantial reduction in investigations. Violations involving oil spills make up nearly half of the Clean Water Act violations that have been detected but are not being addressed.

EPA refused to produce hundreds of documents to the Committees and redacted many of the documents it did produce. EPA concealed the identity of corporations and individuals accused of polluting waters and the specific waters that may have been affected.

In addition, the Committees’ investigation revealed that the Assistant Secretary for the Army for Civil Works placed the interests of corporate lobbyists over the scientific determinations of career officials in making Clean Water Act decisions about the Santa Cruz River in Arizona.

“This Administration has only exacerbated a series of bad Supreme Court decisions by not enforcing the Clean Water Act and by placing development interests above those of the public,” said Chairman Oberstar. “By withholding relevant information and misleading Congress our nation’s waters have gone unprotected for too long. Only through congressional action can we restore necessary Clean Water Act protections to our nation’s waters.”

Documents and Links

- [Memo: Decline of Clean Water Act Enforcement Program](#)
- [Supporting Documents](#)
- [Letter to President-elect Obama](#)